

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

November 4, 2008

3:30 P.M. SCHEDULED SESSION

3:38 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Harold Collins, Shea Flinn, Edmund Ford, Jr., Wanda Halbert, Reid Hedgepeth, Bill Morrison, Jack Sammons, Jim Strickland, Barbara Swearengen Ware and Chairman Myron Lowery
Joe Brown and Janis Fullilove were absent

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Rev. Mark Rutenbar from Church of the Holy Communion. Councilman Sammons presented Rev. Rutenbar with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

1. PRESENTATION OF THE 2008 HUMANITARIAN AWARD.

Held until November 18, 2008

37. RESOLUTION APPROVING RELEASE AND SETTLEMENT OF CLAIMS BY JOSEPH LEE, III IN THE AMOUNT OF \$426,422.33. (THIS ITEM WAS PULLED FROM THE MINUTES OF 10/7 ON 10/21 AND SENT BACK TO THE MLGW COMMITTEE AND BACK ON THE FULL AGENDA ON 11/4).

Held until December 2, 2008

47. **RESOLUTION AMENDING THE FISCAL YEAR 2009 O&M BUDGET TO APPROPRIATE A ONE-TIME, GRATUITOUS, NON-RECURRING APPROPRIATION OF \$2.4 MILLION FOR MEMPHIS CITY SCHOOLS TO ASSIST WITH THE FUNDING NEEDS OF MEMPHIS LITERACY CORP AND THE SUMMER READING CLINIC.**

Held until November 18, 2008

2. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$42,500.00 FROM THE TENNESSEE HISTORICAL COMMISSION FOR THE MEMPHIS HISTORIC PROPERTIES SURVEY AS REQUIRED BY THE CERTIFIED LOCAL GOVERNMENT AGREEMENT. RESOLUTION ALSO AMENDS THE FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS AND MATCHING FUNDS IN THE AMOUNT OF \$27,269.00.**

MOTION: Hedgepeth

SECOND: Morrison

AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Morrison, Sammons, Ware and
Chairman Lowery
Flinn and Strickland did not cast a vote
Brown and Fullilove were absent

APPROVED

3. **RESOLUTION APPROVING A SITE PLAN FOR A HOLIDAY INN HOTEL AND SUITES LOCATED ON THE EAST SIDE OF CENTENNIAL DRIVE, 678 FEET SOUTH OF WINCHESTER ROAD, CONTAINING 3.59 ACRES IN AN AREA CURRENTLY GOVERNED BY PD 06-342CC.**

Case No. PD 06-342cc

Applicant: CRB Hotels, Inc.
The Reaves Firm – Representative

Request: Site plan approval as required by the Outline Plan Conditions for a
Holiday Inn Hotel and Suites six stories in height and containing
124 guest rooms/suites

OPD recommendation: APPROVAL

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,
Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED, as amended

4. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTHWEST SIDE OF U.S. HIGHWAY 78 (LAMAR AVENUE); +/-822.83 FEET SOUTHEAST OF PLEASANT RUN ROAD, CONTAINING 28.95 ACRES IN THE LIGHT INDUSTRIAL (I-L), LIGHT INDUSTRIAL FLOOD PLAIN (I-L[FP]) AND FLOODWAY (FW) DISTRICTS.**

Case No. SUP 08-227

Applicant: DACO Corporation
McCaskill & Associates, Inc. – Representative

Request: Truck and Motor Freight Terminal, Service Facility

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Hedgepeth

SECOND: Morrison

AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

5. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE EAST SIDE OF SOUTH BARKSDALE STREET; +145 FEET SOUTH OF MADISON AVENUE, CONTAINING 0.207 ACRE IN THE MULTIPLE DWELLING RESIDENTIAL (R-MM) DISTRICT.**

Case No. UV 08-09

Applicant: Richard Leike Living Trust
Tim McCaskill – Representative

Request: Automobile Parking Lot

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Flinn did not cast a vote
Brown and Fullilove were absent

APPROVED, as amended

6. **ORDINANCE BEGINNING AT THE EAST SIDE OF ISLAND AVENUE, EXTENDING TO THE WEST SIDE OF DANNY THOMAS BOULEVARD, CONTAINING 4,229 FEET IN THE STREET RIGHT-OF-WAY ~MIXED USE (MU) DISTRICT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5281
Case No. SNC 08-801

Applicant: Willis Family
Archie Willis – Representative

Request: Street Name Change Request from Auction Avenue to A. W.
Willis Avenue

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Hedgepeth
SECOND: Strickland
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,
Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

CONSENT AGENDA – Items 7 – 14 & #48 may be acted upon by one motion: SEE PAGE 2693 FOR ROLL CALL

7. **ORDINANCE ADOPTING THE 2003 EDITION OF THE INTERNATIONAL CODE COUNCIL RESIDENTIAL BUILDING CODE AND PROVIDING FOR ITS IMPLEMENTATION BY AMENDMENT TO THE MEMPHIS AND SHELBY COUNTY BUILDING CODE AND TO ESTABLISH AN EFFECTIVE DATE, UP FOR F I R S T READING.**

Ordinance No. 5285

APPROVED, on First reading

8. **ORDINANCE REZONING THE SOUTH SIDE OF HOLMES ROAD, 991 FEET EAST OF LAMAR AVENUE (U.S. HIGHWAY 78), CONTAINING 3.490 ACRES IN THE AGRICULTURAL (AG) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5283
Case No. Z 08-109

APPROVED, on First reading

9. **ORDINANCE TO AMEND ZONING REGULATIONS TO ADOPT DEFINITIONS FOR FINANCIAL SERVICES, PAYDAY LOAN ESTABLISHMENTS AND TITLE LOAN ESTABLISHMENTS AND TO CREATE NEW USE CATEGORIES FOR PAYDAY LOAN ESTABLISHMENTS AND TITLE LOAN ESTABLISHMENTS AND TO**

**ESTABLISH LOCATION AND DISTANCE SEPARATION REQUIREMENTS FOR
PAYDAY AND TITLE LOAN ESTABLISHMENTS, UP FOR F I R S T READING.**

Ordinance No. 5284

Case No. ZTA 08-001cc

APPROVED, on First reading

10. **ORDINANCE REZONING THE WEST SIDE OF HERBERT ROAD; \pm 40 FEET SOUTH OF FISCHER STEEL ROAD, CONTAINING 9.55 ACRES IN THE VACANT LAND AREA ~ HEAVY INDUSTRIAL (I-H) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5282

Case No. Z 08-110

APPROVED, on Second reading

11. **RESOLUTION APPROVING FINAL PLAT OF DRAINAGE IMPROVEMENTS AND MAINTENANCE AGREEMENT FOR HICKORY POINT APARTMENT COMPLEX.**

Contract No. 5122

Resolution approves the final plat located at 5861 Mt. Moriah Road Extended.
Cost of the required improvements to be borne by the developer with limited maintenance responsibilities to be assumed by the City.

City Engineer recommends approval

APPROVED

12. **RESOLUTION APPROVING FINAL PLAT OF AYESH SUBDIVISION.**

Case No. S 08-011

Resolution approves the final plat located at the northeast corner of Thomas Street and Stage Road. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

APPROVED

13. **RESOLUTION ACCEPTING ALLENTOWN-SOUTH P.D. AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 06-322

(Contract No. CR-5091)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the southeast corner of Raleigh-Millington Road and Gibbs Road. The standard improvement

contract was approved on September 4, 2007. Resolution also authorizes the release of the performance bond in the amount of \$177,900.00.

APPROVED

14. **NOTATIONS FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. SAC 08-601 – 1st Washington Alley Closure
- B. Case No. SAC 08-602 – 2nd Washington Avenue Alley Closure
- C. Case No. SAC 08-603 – Jefferson Avenue Alley Closure
- D. Case No. SAC 08-604 – Washington Avenue Street Closure
- E. Case No. SAC 08-605 – Jefferson Avenue Street Closure

Public Hearing Set for November 18, 2008

48. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR MARVIN BALLIN.**

APPROVED

ROLL CALL CONSENT ITEMS

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,
Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

MLGW FISCAL CONSENT – Items 15 -18 & #49 may be acted upon by one motion:

15. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11099, AT&T VOICE AND DATA SERVICES, WITH AT&T BUSINESS SYSTEMS IN THE AMOUNT OF \$720,000.00. (THIS CHANGE INCREASES THE CONTRACT VALUE IN THE AMOUNT OF \$126,000.00 TO FUND SERVICES THROUGH THE CURRENT CONTRACT TERM ENDING DECEMBER 31, 2008, AND RENEWS THE CONTRACT FOR THE FIRST OF TWO RENEWAL TERMS, JANUARY 1, 2009 TO DECEMBER 31, 2009, IN THE AMOUNT OF \$594,000.00.)**

APPROVED

16. **RESOLUTION APPROVING CHANGE NO. 7 TO CONTRACT NO. 10336, EMS/SCADA SYSTEM, WITH GE ENERGY MANAGEMENT SERVICES IN THE FUNDED AMOUNT OF \$372,305.00. (THIS CHANGE IS TO REPLACE THE FRONT-**

END COMMUNICATIONS CABINET ON THE SCADA SYSTEM AND TO IMPLEMENT A BACKUP SYSTEM AT THE NETTERS BUSINESS CENTER.)

APPROVED

17. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11117, INTERNET SERVICE PROVIDER, WITH AT&T BUSINESS SYSTEMS IN THE FUNDED AMOUNT OF \$21,600.00. (THIS CHANGE IS TO RENEW THE CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS, DECEMBER 28, 2008 TO DECEMBER 27, 2009.)**

APPROVED

18. **RESOLUTION AWARDED CONTRACT FOR 12 UNINTERRUPTIBLE POWER SYSTEMS (UPS) AND ACCESSORIES TO COMPUTER AC, INC. IN THE AMOUNT OF \$137,733.36.**

APPROVED

49. **RESOLUTION AUTHORIZING MLGW'S GENERAL COUNSEL TO PAY A CLAIMS SETTLEMENT IN THE AMOUNT OF \$42,677.76.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Sammons
SECOND: Ford
AYES: Boyd, Collins, Flinn, Ford, Halbert, Morrison, Sammons, Strickland, Ware
and Chairman Lowery
Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

19. **APPOINTMENT**

Animal Shelter Advisory Committee

Appointment

Tara Walsh

MOTION: Flinn
SECOND: Collins
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,

Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

20. **RESOLUTION APPROPRIATING \$310,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT NUMBER GA03007, BUS REPLACEMENT, TO FUND THE LOCAL SHARE FOR THE PURCHASE OF 10 REPLACEMENT BUSES FOR MATA, IN FISCAL YEAR 2009 AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison
SECOND: Ford
AYES: Boyd, Collins, Ford, Halbert, Morrison, Strickland, Ware and Chairman Lowery
NAY: Sammons
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

21. **RESOLUTION APPROPRIATING \$465,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT NUMBER GA03011, PARATRANSIT BUSES, TO FUND THE LOCAL SHARE FOR THE PURCHASE OF 15 PARATRANSIT BUSES FOR MATA, IN FISCAL YEAR 2009 AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison
SECOND: Ware
AYES: Boyd, Collins, Ford, Halbert, Morrison, Strickland, Ware and Chairman Lowery
NAY: Sammons
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

22. **RESOLUTION APPROPRIATING \$56,500.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT NUMBER GA03001, SERVICE VEHICLES, TO FUND THE LOCAL SHARE FOR THE PURCHASE OF SERVICE VEHICLES FOR MATA, IN FISCAL YEAR 2009 AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison
SECOND: Ford
AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

23. **RESOLUTION APPROPRIATING \$5,250,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT NUMBER GA03018, PREVENTIVE MAINTENANCE, TO FUND COSTS FOR MAINTENANCE OF CAPITAL ASSETS FOR MATA, IN FISCAL YEAR 2009 AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison

SECOND: Boyd

AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and
Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

24. **RESOLUTION APPROPRIATING \$32,000.00 FUNDED BY G.O. BONDS GENERAL TO CIP PROJECT NUMBER GA03023, OPERATIONS/MAINTENANCE FACILITY, TO FUND THE LOCAL SHARE OF A PORTION OF A FEASIBILITY STUDY FOR AN OPERATIONS/MAINTENANCE FACILITY FOR MATA AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison

SECOND: Ford

AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and
Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

25. **RESOLUTION APPROPRIATING \$95,000.00 FUNDED BY G.O. BONDS GENERAL TO CIP PROJECT NUMBER GA03004, TRANSFER CENTERS, TO FUND THE LOCAL SHARE OF A PORTION OF THE CONSTRUCTION COSTS FOR MATA AT THE SOUTH INTERMODAL TERMINAL LOCATED AT THE NORTHWESTERN CORNER OF AIRWAYS BOULEVARD AND BROOKS ROAD AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison

SECOND: Strickland

AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and
Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

26. **RESOLUTION APPROPRIATING \$300,000.00 FUNDED BY G.O. BONDS GENERAL TO CIP PROJECT NUMBER GA03022, ADVANCED PUBLIC TRANSPORTATION SYSTEMS, TO FUND THE LOCAL SHARE OF COSTS FOR MATA AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison
SECOND: Strickland
AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and
Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

27. **RESOLUTION APPROPRIATING \$210,000.00 FUNDED BY G.O. BONDS GENERAL TO CIP PROJECT NUMBER GA03003, RADIO SYSTEM REPLACEMENT, TO FUND THE LOCAL SHARE OF COSTS FOR MATA AS PART OF THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Morrison
SECOND: Strickland
AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and
Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

28. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF ONE THOUSAND SIX HUNDRED SIXTY SEVEN DOLLARS (\$1,667.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE STATEWIDE ACTIVITIES FUND. RESOLUTION ALSO AMENDS THE FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins
SECOND: Ford
AYES: Boyd, Ford, Halbert, Morrison, Sammons, Strickland, Ware and Chairman
Lowery
Collins, Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

29. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF ONE THOUSAND FOUR HUNDRED TWENTY ONE DOLLARS (\$1,421.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE STATEWIDE ACTIVITIES FUND. RESOLUTION ALSO AMENDS THE FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins
SECOND: Morrison
AYES: Boyd, Ford, Halbert, Sammons, Strickland, Ware and Chairman Lowery
Collins, Flinn, Hedgepeth and Morrison did not cast a vote
Brown and Fullilove were absent

APPROVED

30. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF TWO THOUSAND ONE HUNDRED FIFTY NINE DOLLARS (\$2,159.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE STATE WIDE ACTIVITIES FUND. RESOLUTION ALSO AMENDS THE FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins
SECOND: Boyd
AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

31. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF FORTY TWO THOUSAND EIGHT HUNDRED FIFTY SEVEN DOLLARS (\$42,857.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE DISABILITY PROGRAM NAVIGATOR FUND. RESOLUTION ALSO AMENDS THE FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins
SECOND: Ware
AYES: Boyd, Collins, Ford, Halbert, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Flinn and Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

32. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF FORTY THREE THOUSAND ONE HUNDRED SEVENTY FIVE DOLLARS (\$43,175.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE RAPID RESPONSE FUND. RESOLUTION ALSO AMENDS THE FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins
SECOND: Boyd
AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Flinn did not cast a vote
Brown and Fullilove were absent

APPROVED

33. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF THIRTY THREE THOUSAND THREE HUNDRED THIRTY THREE DOLLARS (\$33,333.00) FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE RAPID RESPONSE FUND. RESOLUTION ALSO AMENDS THE FY 2009 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Collins
SECOND: Hedgepeth
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

34. **RESOLUTION CANCELING TAXES IN THE TOTAL AMOUNT OF \$2,801.65 ON CHURCH PROPERTIES LOCATED AT 3588 LICHTERMAN ROAD, PARCEL NUMBERS 093400 00601 AND 093400 00600 FOR THE TAX YEARS 2000, 2001 AND 2002.**

MOTION: Collins
SECOND: Morrison
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

35. **RESOLUTION APPROPRIATING \$120,000.00 IN FURNITURE, FIXTURES AND EQUIPMENT, CIP PROJECT NUMBER FS02001 FUNDED BY G.O. BONDS GENERAL FOR FIRE STATION REPAIR.**

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

36. **RESOLUTION AUTHORIZING AND APPROVING THE MODIFICATION OF TERMS OF CURRENT BOARD MEMBERS TO CONFORM TO THE CALENDAR YEAR, AS ADOPTED BY THE AMENDED BYLAWS OF THE HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD OF THE CITY OF MEMPHIS, TENNESSEE.**

MOTION: Flinn

SECOND: Ford

AYES: Boyd, Collins, Flinn, Ford, Halbert, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

38. **RESOLUTION APPROVING THE COMPLETION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR COUNTRYWOOD PARK IMPROVEMENTS, CIP PROJECT NUMBER PK07088, AT AN ESTIMATED CONSTRUCTION COST OF \$1,560,000.00 FUNDED BY G.O. BONDS GENERAL.**

MOTION: Strickland

SECOND: Morrison

AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland, Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

39. **RESOLUTION APPROVING THE COMPLETION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR KING RIVERSIDE RESTROOMS, CIP PROJECT NUMBER PK07102, AT AN ESTIMATED CONSTRUCTION COST OF \$250,000.00, FUNDED BY G.O. BONDS GENERAL.**

MOTION: Strickland

SECOND: Hedgepeth

AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,
Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

40. **RESOLUTION APPROVING THE COMPLETION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR PARKWAYS MAINTENANCE AND RENOVATIONS, CIP PROJECT NUMBER PK12001, AT AN ESTIMATED CONSTRUCTION COST OF \$500,000.00.**

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,
Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

41. **RESOLUTION REQUESTING FUNDS ALLOCATED FOR CONSTRUCTION OF THE GREENWAY IMPROVEMENTS, CIP PROJECT NUMBER PK07012, PHASE 1 AND 2, TO BE UTILIZED SOLELY FOR PHASE 2 AND APPROVING COMPLETION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR PHASE 2 OF GREENWAY IMPROVEMENTS, AT AN ESTIMATED CONSTRUCTION COST OF \$1,675,000.00 FUNDED BY G.O. BONDS GENERAL.**

Chairman Lowery recognized the following person from the audience:
Charles Farmer, 4611 Buffer Dr., Memphis, TN. 38128

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,
Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

42. **RESOLUTION APPROPRIATING \$460,643.97 FOR THE PURCHASE OF MATERIALS AND INSTALLATION OF THE IRRIGATION SYSTEM FOR CROCKETT GOLF COURSE IN GOLF IRRIGATION, CIP PROJECT NUMBER PK06006, CONTRACT CONSTRUCTION, FUNDED BY G.O. BONDS GENERAL AND CHARGEABLE TO FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET.**

Chairman Lowery recognized the following person from the audience:
Charles Farmer, 4611 Buffer Dr., Memphis, TN. 38128

MOTION: Strickland
SECOND: Morrison
AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Morrison, Strickland, Ware and
Chairman Lowery
Flinn and Sammons did not cast a vote
Brown and Fullilove were absent

APPROVED

43. **RESOLUTION APPROPRIATING FUNDS IN THE AMOUNT OF \$1,861,300.00 IN CONSTRUCTION AND \$125,000.00 IN FURNITURE, FIXTURES AND EQUIPMENT, FUNDED BY G.O. BONDS GENERAL IN LIBERTY BOWL LOCKER ROOMS, CIP PROJECT NUMBER PK10010, CHARGEABLE TO THE FISCAL YEAR 2009 CAPITAL IMPROVEMENT BUDGET FOR A TOTAL AMOUNT OF \$1,986,388.00.**

MOTION: Strickland
SECOND: Hedgepeth
AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Morrison, Sammons, Strickland,
Ware and Chairman Lowery
Flinn recused
Brown and Fullilove were absent

APPROVED

44. **RESOLUTION APPROPRIATING \$2,416,543.00 FUNDED BY SEWER FUNDS FOR SEWER LINE REPLACEMENT FY 2008, PROJECT NUMBER SW02074 FOR AN EXTENSION TO A CONSTRUCTION CONTRACT WITH ACUFF ENTERPRISES, INC., DBA SCOTT CONTRACTORS, INC.**

Chairman Lowery recognized the following person from the audience:
Charles Farmer, 4611 Buffer Dr., Memphis, TN. 38128

MOTION: Morrison
SECOND: Boyd
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons,
Strickland, Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED

45. **RESOLUTION AMENDING THE FY 2009 CAPITAL IMPROVEMENT BUDGET BY REDUCING AN ALLOCATION AND APPROPRIATION OF \$397,701.52 FOR G.O. BONDS (STORM WATER) AND INCREASING THE ALLOCATION AND APPROPRIATION FOR LOCAL OTHER REVENUE IN DRAINAGE DITCH REHAB FY07, PROJECT NUMBER ST03091, AS DIRECTED IN A MOA BETWEEN THE CITY AND THE ILLINOIS CENTRAL RAILROAD COMPANY FOR THE REPAIR OF A**

DRAINAGE CULVERT ON CENTRAL STATION PROPERTY.

MOTION: Morrison
SECOND: Boyd
AYES: Boyd, Collins, Flinn, Ford, Hedgepeth, Morrison, Ware and Chairman Lowery
Halbert, Sammons and Strickland did not cast a vote
Brown and Fullilove were absent

APPROVED**46. RESOLUTION EXPRESSING CONCERN FOR COUNCILWOMAN JANIS FULLILOVE. (HELD FROM 10/21)**

MOTION: Boyd
SECOND: Morrison
AYES: Boyd, Collins, Flinn, Halbert, Hedgepeth, Morrison, Sammons, Strickland and
Chairman Lowery
NAYS: Ford and Ware
Brown and Fullilove were absent

APPROVED**MINUTES**

Approval of the Minutes of the regular meeting of October 21, 2008 with the following motion:

MOTION: Ford
SECOND: Strickland
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Morrison, Sammons,
Strickland, Ware and Chairman Lowery
Brown and Fullilove were absent

APPROVED**(Special Item #1) – Minutes for items #39, #41, #42, #43 & #49, from tonight's meeting**

MOTION: Strickland
SECOND: Ford
AYES: Boyd, Collins, Flinn, Ford, Halbert, Morrison, Sammons, Strickland, Ware
and Chairman Lowery
Hedgepeth did not cast a vote
Brown and Fullilove were absent

APPROVED

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Lowery recognized the following people who spoke from the audience:

Walter Broady III, 4256 Ledbetter, Mphs, TN 38109

Charles Farmer, 4611 Buffer Dr., Memphis, TN. 38128

ADJOURNED MEETING AT 5:07 P.M.

.....

Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

C H A I R M A N

Attest:

Deputy Comptroller/Council Records